

GCH

National Conference on Religion and Race

To: Steering Committee

From: Secretariat

Re: Summary of Steering Committee meeting, April 12, 1962

Background

With the approval of their appropriate boards, the Department of Racial and Cultural Relations of the National Council of Churches, the Social Action Commission of the Synagogue Council of America and the Social Action Department of the National Catholic Welfare Conference are together convening a National Conference on Religion and Race to commemorate the centennial of the signing of the Emancipation Proclamation.

These initial conveners (Dr. Irwin Miller for the National Council of Churches, Rabbi Julius Mark for the Synagogue Council of America, Most Reverend William Cousins for the National Catholic Welfare Conference) have invited a number of people to serve on an initial Steering Committee to get the concrete plans for the Conference underway.

The initial conveners are readying an invitation to go to a variety of Protestant, Catholic and Jewish religious and religiously identified organization to join with them in planning the Conference, and to become participating organizations in it. The initial invitational letter was discussed by the Steering Committee, and a draft of it is attached. The letter of invitation will be accompanied by a memorandum citing the significance of the Conference, and in the case of the Protestant denominations and organizations a resolution regarding the Conference adopted by the Board of the National Council of Churches.

Title of Conference

National Conference on Religion and Race. To be subtitled: A Challenge to Justice and Love.

Date of Meeting

The general agreed intention is to hold the Conference as close to the beginning of January, 1963, as possible. The centennial date of the signing of the Emancipation Proclamation is January 1, 1963. The Committee expressed preference for the dates January 14 - 17, 1963, but is also entertaining January 7 - 10. Selection of date depends on the date the U.S. Catholic bishops are selecting for their own meeting in Washington, D.C. This determination will be made on May 1, 1962. It is expected that a number of Catholic bishops will be invited to and attend the Conference.

Place of Conference

The initial conveners have mutually selected Chicago as the site of the Conference.

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Negotiations are underway for hotel space in Chicago, and the secretariat has been authorized to proceed on this matter. The Steering Committee asked that every effort be made to hold the Conference in a first rate hotel, despite the general crowded condition of Chicago's hotels at that time of year, and even though the expense for registrants may be greater than otherwise.

Attendance at Conference

By agreement of the initial conveners the attendance at the Conference is to be by invitation only. The Steering Committee recommended attendance be limited to 500 delegates plus what additional Chicago participation might be required to involve the Chicago lay and clerical religious leadership in hosting the Conference.

Secretariat

By agreement of the initial conveners, the National Catholic Conference for Interracial Justice will serve as the secretariat for the Conference.

Letterhead

- A letterhead will be prepared for the Conference itself. It will carry at least the initial conveners, and the secretariat with its address, and possibly, later, all the participating organizations.

Purpose of Conference; Benefits Expected

The members of the Steering Committee spent some time discussing what they really hoped might come out of the Conference. The following is a summary of what seemed to be consensus:

We have a long range goal of helping to create a climate in which all Americans have a feeling of acceptance. We also wish to achieve fruitful continuous interreligious cooperation. Here we are concerned with increased communication between the religious groups in America, not merely on the verbal level, but in terms of things they can do together.

We hope that the Conference will deal in very concrete and specific ways with the role of the churches and synagogues in racial integration. The Conference itself can define a long range goal for religion in America re the race problem, and it can outline immediate goals for the churches and synagogues to pursue relative to their own roles in race relations, and relative to civic goals.

to

Program

A general discussion on the program of the Conference brought out the necessity for pre involvement of the various constituencies relating to the Conference. Various methods might be utilized: circulation of a draft statement of conscience for discussion; questionnaire to elicit an inventory of the present situation of the churches and synagogues re the racial issue and racial practices. Such a questionnaire might result in a profile of the religious communities in America re the racial issue, and a publication which could be presented

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to the Conference.

We also agreed that as much as possible we should plan for after effects. We hope it might be possible to hold similar conferences on the local level in 4 or 5 major U.S. cities. We also hope that the Conference will result in closer interreligious cooperation on the hard racial issues on the local level.

Note The Steering Committee appointed Rabbi Marc Tanenbaum to convene an ad-hoc Program Sub Committee to consist of Rabbi Philip Hirt, Dennis Clark of the Catholic Interracial Council of New York, Dr. J. Oscar Lee, John Hope Franklin, Rabbi Solomon Bernards, Harry Fleishman and others. This Committee is to draw up fairly concrete program suggestions and plans which can be discussed and reviewed at the next meeting of the Steering Committee and at the first meeting of the planning Committee in late May. April 23, 2:00 P.M. to 5:00 P.M., at the office of the American Jewish Committee was tentatively picked as the first meeting of this Committee. Tuesday, May 8, was suggested as a possible second meeting date.

The Program Committee might take off from the initial list of program suggestions presented at the meeting of the Steering Committee. This list is attached.

Budget: Finances

The Steering Committee reviewed the attached budget, and recommended for future financial contacts, that the budget be expanded to include about \$3,000 for extra clerical help just preceeding and during the Conference itself, and \$5,000 for possible speaker expense, travel, etc. General discussion indicated, however, that we hope those giving major addresses, papers, etc., will either be responsible for their own expenses, or have these costs born by their religious organizations.

The draft budget has been introduced to several foundations, and efforts to secure the necessary money are underway.

Further financial explorations should include in the budget a figure for follow up conferences to be held in some of the major cities of the United States — possibly 4 or 5 conferences at an estimated total cost of \$10,000 each. The budget might contain 2 phases — one for the present Conference and one for followup conferences.

No financial contributions are required from convening or participating organizations, though voluntary contributions are welcomed. The Conference is to be financed by registration fees, grants and voluntary gifts.

Note Dr. J. Oscar Lee agreed to submit the draft budget and our other ideas to the National Council of Churches finance department for advice; and Rabbi Marc Tanenbaum of the American Jewish Committee agreed to submit the same material to his fund raisers.

Planning Committee

By agreement of the initial conveners each organization to be invited to

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Note participants in the Conference will be asked to appoint a representative to serve on a Planning Committee. This Committee is to meet initially on May 28 and 29 at Riverside Church in New York (120th and Riverside Drive). A notice will be sent later on this.

Public Relations

It was the feeling of the Steering Committee that initial public announcement of the Conference should be withheld until after the initial meeting of the larger Planning Committee.

Note Dr. J. Oscar Lee is to convene a small informal group of public relations consultants.

Authority and Chart of Organization

The initial conveners will draft a plan of organization for the Conference (committees and authority), and will present this at the next meeting of the Steering Committee.

It was generally agreed that everyone wanted as much involvement in planning as possible by all the participating organizations. This involvement is restricted by two contingencies: 1) the necessity for each of the three main conveners to be concerned with the peculiar sensitivities of each of the major religious groupings, and 2) the problem of time. Some things must be gotten underway as quickly as possible.

Next Meeting

Note The next meeting of the Steering Committee is scheduled for May 16, 1962, from 10:00 AM to 4:00 PM, in the offices of the Synagogue Council of America, 235 Fifth Avenue, New York

Mathew Ahmann

Reel 2

COOPER, MITCH & CRAWFORD

ATTORNEYS AT LAW

1225-1226 BROWN HALL BUILDING

BIRMINGHAM 3, ALABAMA

TELEPHONE
FARVA 2-3330

June 18, 1962

John W. Vardaman, Esq.
President, Alabama Bar Association
1014 Commercial National Bank Building
Anniston, Alabama

Dear Mr. Vardaman:

We Alabamians tend to take our politics seriously. Campaigns are hard fought. Our recent experience followed that pattern.

However, once the people have spoken, as good Americans we abide by the result and try to make our representative system of government work for the benefit of all.

There are important rules which govern the conduct of that system. Regardless of the political faction to which one may belong, or the individual candidates whom he may support, everyone owes basic respect to those rules.

According to press reports, one of the candidates for high office in Alabama's recent primaries, himself a lawyer, told his audiences, "the U. S. has 'the sorriest Federal court system in the world.' The Supreme Court . . . doesn't have 'the legal brains to try a chicken thief.' And District Judge Frank Johnson, who ordered voting records turned over to the Civil Rights Commission during its probe of Negro disenfranchisement, is lampooned as an 'integrating, scalawagging, carpetbagging liar.'" ("Wall Street Journal", May 28, 1962.)

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John W. Vardaman, Esq.

June 18, 1962

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General Rules adopted by the Alabama State Bar Association, for the guidance of its members, read in part:

"1. The respect enjoined by law for courts and judicial officers is exacted for the sake of the office, and not for the individual who administers it. Bad opinion of the incumbent, however well founded, cannot excuse the withholding of the respect due the office, while administering its functions.

"2. The proprieties of the judicial station, in a great measure, disable the judge from defending himself against strictures upon his official conduct. For this reason, and because such criticisms tend to impair public confidence in the administration of justice, attorneys should, as a rule, refrain from published criticism of judicial conduct, especially in reference to causes in which they have been of counsel, otherwise than in courts of review, or when the conduct of a judge is necessarily involved in determining his removal from or continuance in office."

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John W. Vardaman, Esq.
June 18, 1962
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Lawyers, above all other citizens, are dedicated to the belief that judicial administration is a basic component of our system of government. The quality of that component depends to a great extent upon the manner in which attorneys discharge their professional responsibilities. Lawyers must therefore always be men "who are ready to aid in the shaping and application of those wise restraints which make men free."

If the above press reports are in error they should be corrected. If they are correct, it seems to us that perhaps inquiry by the Bar into the propriety of the quoted remarks with respect to the judiciary, might well be in order.

We write not in rancor or partisanship. Our concern is not with individuals, or particular causes, or political factions. We seek only to maintain in our great State that respect for law and the courts which is essential to the preservation of the freedom of all.

With kind regards, we are

Sincerely,

Jerome A. Cooper

William E. Mitch

Beelz

LAW OFFICES OF

LEMLE & KELLEHER

NATIONAL BANK OF COMMERCE BUILDING

PHONE ADDRESS LEMMON

NEW ORLEANS 12

July 2, 1962.

SELM B LEMLE (B-6-1960)
LOUIS C LEMLE
HARRY B KELLEHER
HARRY V SOUCHON
CHARLES KOHLMEYER JR
GEORGE B MATTHEWS
W MARTIN MURLEY JR
CARL J SCHUMACHER JR
THOMAS F JOHNSON
WILLIAM STEIN JR
CHARLES E LUGENBUHL
C MURPHY MOSS JR
ALLEN B FORTENOT
SHIRLEY C FRIEND JR
GEORGE A FLOYD JR
N BUCKNER BARRETT JR
ALBERT H WAGEMANN JR
DERMOT S MCGLINCHY
PAUL B DEAL
WAYNE S WOODY
JAMES A CHURCHILL
THOMAS W THORNE JR

461-183

P. Walter Jones, Esq.,
P.O.Box 285,
Royal Building,
Albany, Ga.

Dear Mr. Jones:

I hasten to extend you my warm congratulations on your victory in the Fifth Circuit Court of Appeals and in the United States Supreme Court in the Phil Whitus case. I know it must have afforded you great satisfaction to have been able to obtain a trial for Phil Whitus, protected by guarantees vouchsafed to him by the Constitution of the United States.

With warmest regards and best wishes for your continued success, I am

Sincerely yours,

HARRY B. KELLEHER
Harry B. Kelleher

HBK:RD

C.C. Mr. Burke Marshall ✓

To Mr. O'Donoghue
For info. and
return
JH
Reel 2

June 1, 1962

TO: Dean Russell D. Niles

FROM: Herman Dorsen

RE: Report on the Activities of the Civil Liberties Center for the Academic Year 1961-62.

In the paragraphs that follow our activities for the past academic year are reviewed. Although I assumed the active responsibility for the Civil Liberties Center in March 1961, and began making plans for the past year almost immediately, it was not until October 1961, when the student fellows in civil liberties became available, that the program for the year moved into gear.

In many respects, I regard this first year of my responsibility as preliminary, with much attention necessarily devoted to organizational matters and to building for the future. Many of the plans I have and many of the projects that are under way will take some time to germinate, and I believe that not for another year will we be able to estimate the degree of success of our early efforts.

1. Personnel. The Arthur Garfield Hays Fellows for the 1961-62 academic year were Jeffrey M. Albert, LL.B. Harvard, graduate fellow, and Joseph Edward Downs and Alvin M. Goldman, senior fellows. The graduating student chosen for the first Robert Marshall Fellowship was Nathan Greene, LL.B., Wayne State. When Mr. Greene was recalled into military service in September, I interviewed a number of candidates among the graduate students in attendance at the Law School and selected Robert E. Burns, LL.B. Yale, who became the first holder of the Marshall Fellowship.

The efforts to attract more applicants for the graduating fellowships continue. The result this year was disappointing, although we did receive more applications than ever before. Because of the publicity I have attempted to give our civil liberties program at other law schools, I look forward to a marked increase next year and plan to take steps early in the fall semester to encourage qualified senior law students to apply.

The association with Mr. Morton Lane, a lawyer who is confined to an iron lung on Welfare Island, has continued. As you know, in 1960 he received a two year grant from the Meyer Foundation. Mr. Lane produced two substantial papers this year. During the summer he completed a paper on "Contempt and the Right to a Fair Trial." He then turned his attention to a

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project for the American Civil Liberties Union -- an analysis of proposed changes in the Uniform Code of Military Justice -- which was completed in February and was well received by the ACLU. Since completing this project, Mr. Lane has been doing preliminary work on the thorny problems flowing from the recent Supreme Court decision on legislative reapportionment, Baker v. Carr.

Toward the end of this year, the Meyer Foundation renewed Mr. Lane's two year grant. The Law School will continue to administer it and I shall try to provide him with suitable research projects. I should add that a senior law student, Carl Lobell, deserves credit for his work during the past two academic years in assisting Mr. Lane in a variety of ways -- by providing research assistance, transporting books from the library, etc.

2. Advisory Committee. As a means of establishing close relations with the national civil liberties organizations, I formed an advisory committee to the Civil Liberties Center during the summer of 1961. The members of the Advisory Committee are the legal representatives of these national organizations as well as individuals who in the past have taken an active interest in civil liberties problems. When the Advisory Committee was set up, I hoped that its members would assist me in at least three ways -- by suggesting live topics for research, by participating in seminars on important legal questions, and by soliciting our help with legal problems facing their respective organizations, thereby enabling the student fellows to obtain an enhanced experience in the law relating to civil liberties.

During its first year the Advisory Committee substantially gratified my hopes for it. The members suggested many excellent subjects for research, participated in a successful conference, and made generous use of the legal services available at the Center. The Advisory Committee met twice during the academic year, November 3, 1961 and March 6, 1962.

3. Research. Shortly after becoming director of the Center, I decided to alter the previous policy of concentrating research on only one topic each year. It seemed to me that fruitful results could flow from work in a number of fields, and that the students would derive a better rounded educational experience from working on several unrelated matters.

This academic year the student fellows and I have worked on several papers for publication. Among them are the applicability of the rule of the Jencks case to state courts, legal safeguards for the freedom of expression of students, the legal defense of unpopular persons in the United States, and the application of the federal antitrust laws to agreements of real estate brokers not to sell to members of minority groups.

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I intend to devote a good part of this summer to these papers, and I have hopes that some of them will be published next year.

4. Legal Services. At the suggestion of certain members of the Advisory Committee, I agreed early this year to provide legal assistance to civil liberties organizations to the extent that our manpower permitted without interfering with any pending research projects. This program has met with success. Many of the organizations requested our help on a number of extremely interesting projects. During this academic year we furnished legal assistance in the following matters.

- a. To the American Jewish Committee, on the applicability of the federal antitrust laws to agreements by the District of Columbia real estate community not to sell homes in certain areas to Negroes, Orientals, or Jews.
- b. To the NAACP, with respect to the jurisdictional and other problems involved in starting an action to end discrimination against Negroes in hospital facilities in North Carolina.
- c. To CORE, on the validity of a trust under California law that provided for the income to be used to support Negro minors whose parents were convicted of crimes of a political nature.
- d. To the ACLU, on proposed changes in the Uniform Code of Military Justice (by Mr. Morton Lane).
- e. To the ACLU, on the American and English law relating to "security for good behavior" required of certain criminal defendants, in connection with a study being conducted by the Indian Law Institute on deprivations of civil liberties in India through this means.
- f. To the Emergency Civil Liberties Committee, on the right of the United States to restrain an alien from returning to his native country.
- g. To the ACLU, on the problem of exhaustion of state court remedies in connection with an action for habeas corpus in the Federal District Court of Oklahoma.
- h. To the ACLU, on its protest to the Department of Defense of an investigation into the newspaper The Overseas Weekly.

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1. To the ACLU, on its protest to the Department of Defense of a trial by a military court of an army reservist who had vigorously protested his recall to active duty during the Berlin crisis.

In addition to the work provided the national civil liberties organizations, the Center responded to requests from the United States Commission for Civil Rights in connection with its project on The Law and Minority Groups (with particular emphasis on the right to counsel) and from the YWCA on the constitutionality of providing school credit for pupils released from New York public schools to obtain religious instruction.

5. Conferences. This year the Center conducted a conference on novel lines. Instead of holding an open forum for the public, we decided to call together a group of professors and lawyers for intensive discussion of a specific civil liberties problem. The Advisory Committee concurred on this venture, and on March 6, 1962, we held a working seminar on a subject favored by most members of the Committee -- the constitutionality of public aid to church-related schools and the related problem of standing to challenge the grant of such aid in both the Federal and State courts.

Among the 25 persons who participated were Professor Louis L. Jaffe of Harvard Law School; Professor Gerald Gunther of Columbia Law School; Professors Cahn and Redlich of our own faculty; Mr. Leo Pfeffer, legal director of the American Jewish Congress; Mr. William J. Butler, who recently argued the School Prayer case in the United States Supreme Court; and Mr. Kenneth W. Greenawalt, who has filed briefs in all the major church-state cases in the Supreme Court.

A professional reporter transcribed the discussion. The transcript has now been edited and distributed to all those present as well as others interested in this problem. Although the round-table form is not the usual one for law review articles, I hope to see it published sometime next year.

6. Seminar. I offered the seminar "Civil Liberties and the Constitution" during the fall semester. It took the form of a study of important current civil liberties problems. About half the sessions were conducted by guests chosen because of their expertness on the particular subject under discussion. The other meetings were conducted by two students, who prepared their presentation under my supervision.

My guests at the seminar were Mr. Osmond K. Fraenkel, General Counsel of the American Civil Liberties Union; Mr. Edward R. Rans, former General Counsel to the United States Naturalization and Immigration Service; Mr. Oscar E. Davis, then First Assistant to the Solicitor General and since appointed Judge of

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the Court of Claims; Professor John T. Noonan Jr. of Notre Dame Law School and the Editor of the Natural Law Forum; Mr. Henry J. Sailer, of Covington and Burling, former law clerk to Mr. Justice John M. Harlan; and Mr. Alan U. Schwartz, of Greenbaum, Wolff and Rosen.

The enrollment in the seminar this year was fifteen as compared with eight last year and four the year before.

7. Public Appearances. During the past academic year, I made the following public appearances on subjects in the civil liberties field:

- a. At the Notre Dame Law School, on the obligation of lawyers to represent unpopular defendants.
- b. At a radio broadcast of the NAACP, in connection with the celebration of Bill of Rights Day.
- c. At a forum of the New York Committee of Democratic Voters, on a proposed New York State legislative program for civil rights.
- d. At the National Board of the YWCA, on the legal and political aspects of legislative reapportionment.

8. Funds. This has been another disappointing year financially. From the beginning of this fiscal year, September 1, 1961, to April 30, 1962, a total of \$1,526.07 was received in gifts. The net balance of the fund has dropped from \$42,625.00 as of March 31, 1961, to \$34,585.46 as of April 30, 1962. This condition is partially offset by the grant of \$100,000 from the Robert Marshall Civil Liberties Trust, the income from which will be sufficient to provide the funds needed annually to defray the cost of one of the two graduate fellowships in civil liberties.

In summary, I believe it fair to say that the year just concluded has been an active and profitable one for the civil liberties program. Nevertheless, as I suggested at the outset of this report, the full potentialities of the program remain to be tapped and more time is required before we can confidently assess the results of our efforts.

Norman Dorsen
Norman Dorsen, Director
Civil Liberties Center

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Buys Most of Highlander Auction Ends Stormy School

THE NASHVILLE TENNESSEAN

Highlanders Auction

Highlander Auction Is Today

MONTAGUE, Tenn., July 7 — The most controversial landmark in modern Tennessee history was broken up and swept from this mountain-top area today as Highlander Folk School was sold at public auction.

The court-liquidated school and its 30-year rough-and-tumble fight with Southern politicians, legislators and courts became nothing but history as its real estate and last physical assets brought a total of \$43,700 in four hours of bidding.

Highlander's furnishings and equipment were sold at an auction last December.

Mr. and Mrs. Marshall Meeks of Tracy City, Tenn., purchased the lion's share of the property today, including the house once occupied by Myles Horton. He was Highlander's director from 1920 until it was born in 1932 until he died at the steps of the U.S. Supreme Court last Oct. 9.

The adult education institution caught the fire of Southern big game on two courts over the years. For training labor organizers during the '30s and early '40s, and later for being a major training center of such Civil Rights movements as the sit-ins and "freedom rides" that swept the South.

The major critic of the school was U.S. Sen. James O. Eastland of Mississippi, who once charged that Communists had been on Highlander's staff. The charge was flatly denied by Horton.

Some of its long-time supporters were Mrs. Eleanor Roosevelt, Harry Golden and the Rev. Martin Luther King Jr.

The school's charter in 1930 was investigated by the Tennessee Legislature. The school had its tax-exempt status revoked in 1954. It was found that some of the school's funds had been used for the personal gain of some of its leaders.

The Supreme Court upheld the school's appeal, but required that a third part of the school's assets be set aside for state service. The school's appeal was denied by the Supreme Court.

The RACIALLY integrated school was a major planning center over the years of sit-in demonstrations, "freedom rides" and other civil rights movements. It was frequently denounced by Southern politicians.

The school lost its state charter last Oct. 9 after lengthy court

Montague, Tenn. (AP) — The State of Tennessee auctions off Highlander Folk School today, thus reducing the controversial institution to nothing but a memory.

During its 30-year existence the racially integrated school was a frequent stormcenter of controversy—first for its training of labor leaders, and later for its role in the civil rights field.

HIGHLANDER CENTER
 1625 RIVERSIDE DRIVE
 KNOXVILLE 15, TENNESSEE

Memo to Highlander Contributors

We hope you will agree with our decision not to bid on the Highlander Folk School property in Montague. The Board of Directors decided that it is more important to count on our many generous supporters for carrying forward with the Highlander Center program, rather than for purchasing the old property.

Although there are many sentimental and other reasons supporting...

July 12, 1962

to Myles Horton:

Your decision to go forward with your work rather than purchase a monument to work already done establishes a new tradition, worthy of imitation by everyone who is concerned with the betterment of American society.

It moves even me - of the thin purse and the timid hand - to send a contribution.

Ruth Kriesberg

7/12/62

PAUL WOLFE
CIRCUIT JUDGE
FEDERAL JUDICIAL CIRCUIT
EAST ARKANSAS

August 21, 1962

Honorable John L. McClellan.
United States Senate,
Senate Office Building,
Washington, D.C.

Dear Senator McClellan:

I have recently had the distinction of being recognized in two separate events occurring in the judicial field and wish to inform you of them in furtherance of my request that I be given consideration whenever a new Federal Judge is appointed for Arkansas.

First, as shown by the attached clipping from the August Bulletin Of The Section Of Judicial Administration, I have been named chairman of a committee of the National Conference of State Trial Judges created for the purpose of preparing a book "by judges for judges", in which it is hoped to accumulate, primarily for the benefit of the neophyte judge, the practical experience of many able trial judges on the everyday problems inherent in the administration, practices, procedures, techniques and policies of the trial judges office. There is no such source of guidance now available and we hope to fill the void as stated in the enclosed announcement.

The "Trial Judges Book Committee", as it has been officially designated, held its first meeting July 6th and 7th, 1962 and the work has commenced. I know that you will recognize this as a needed and worthwhile undertaking.

Secondly- During a five day period commencing August 8, 1962 a group of 20 jurists and educators met at Newport Beach, California at the request of the chairman of the Joint Committee For Effective Administration of Justice, the Honorable Tom C. Clark, Associate Justice of the Supreme Court of the United States. The purpose of this meeting was to evaluate the seminar program conducted to date for state trial judges by the Joint Committee and to make detailed recommendations to guide the

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PAUL WOLFE
CIRCUIT JUDGE
TWELFTH JUDICIAL CIRCUIT
PORTLAND, OREGON

Committee in preparing and conducting future seminars and the overall educational program of the Joint Committee. The comments and recommendations of the group were considered by Justice Clark to be of such value that the group was organized on a permanent basis as an Advisory Council to the Joint Committee For The Effective Administration Of Justice and will meet periodically to carry out the functions stated above.

It was and is my privilege to be a member of this group which consists of two Federal judges, thirteen state trial judges, three law professors and one state court administrator. Associate Justice William J. Brennan, Jr. of the Supreme Court of the United States presided at the meeting and was named chairman of the permanent Advisory Council.

With my highest regards and thanks for your consideration.

Sincerely yours,

Paul Wolfe
Paul Wolfe

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From Page

OYEZ! OYEZ!

The Bulletin Of The Section Of Judicial Administration

Vol. 5 No. 3 August, 1962
American Bar Center
American Bar Association
Chicago 3, Illinois

NATIONAL CONFERENCE OF STATE TRIAL JUDGES TO PUBLISH BOOK FOR JUDGES

Judge Ralph H. Pharr, Chairman of the National Conference of State Trial Judges has announced the formation of a special committee headed by Judge Paul Wolfe of Fort Smith, Arkansas, to prepare and publish a book "by judges for judges." The book, which will be the first publication of its kind, combining in a single volume the accumulated wisdom of many experienced judges relating to the practical aspects of the work inherent in the judicial office, is expected to be a year and a half in preparation. At present, Judge Pharr noted, there is not any single authoritative and readily available written source to which the judge-elect can turn for practical guidance before or after he takes the bench. The publication of a *Judges Book* has been under consideration by the National Conference of State Trial Judges for several months, Judge Pharr said, and the decision to go forward with the project was made only after considerable investigation and study. The Joint Committee for the Effective Administration of Justice will cooperate with the National Conference in this important project, and publication will be under the imprimatur of the National Conference of State Trial Judges and the Joint Committee for the Effective Administration of Justice.

The basic purpose of the *Judges Book* will be to enhance the standards of performance of the judiciary at the trial level, according to Judge Pharr, and to provide the newly elected judge with a book which will acquaint him with the preparation which he should make in order to carry out the judicial function. It will come from a practical point of view, covering all of the essential phases of the judicial and administrative functions of courts of original jurisdiction in civil and criminal matters. The highest standards of performance, it was stressed, however, that this is not to be a handbook in the usual sense, for its objective will be to acquaint the judge with the work and problems inherent in the judi-

cial function and through experience thus vicariously obtained, to prepare him to act on his own. Judge Pharr said the *Judges Book* will fulfill a long standing need for a written consensus of experienced and respected judges as to the best methods for the effective administration of justice.

The National Conference of State Trial Judges, which is a part of the Section of Judicial Administration, is well equipped to undertake the exacting task of publishing such a book, since its membership constitutes a rich source of judicial experience and "know how." Judge Wolfe, under whose supervision the *Judges Book* will be prepared, has indicated that the tone of the book will be conversational and informal, in the nature of a personal discussion between judges concerning practices, procedures, techniques and policies based upon the collective experience of state trial judges of recognized ability. It is felt that in the publication of such a work the National Conference not only will be discharging a duty, he said, but that it has the opportunity to make a valuable and important contribution to the administration of justice.

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SOCIAL ACTION



NATIONAL CATHOLIC WELFARE CONFERENCE
1312 MASSACHUSETTS AVENUE NW. WASHINGTON 5, D. C.
CABLE ADDRESS ENNSEE TELEPHONE REPUBLIC 7-3553

May 25, 1962

Dear Bob:

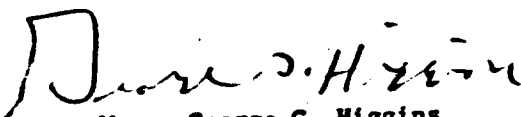
Your gentle criticism of the clergy during the course of your remarks on Saturday afternoon at the meeting of the President's Conference on National Economic Goals prompts me to let you know that our organization, in cooperation with the leading Jewish and Protestant organizations in the field of social action, have scheduled an extraordinarily important conference on the subject of race relations for January 14-17, 1963. The enclosed material explains the nature and the purpose of the conference in some detail. It will be by all odds the most important meeting of its kind ever held in the United States.

Incidentally the sponsors of the meeting will, within the near future, address a letter to the President inviting him to give the principal address at the conference.

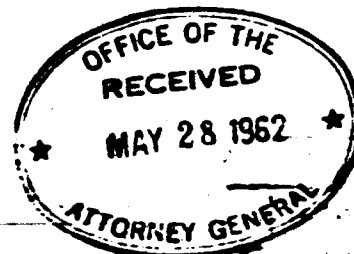
It was nice seeing you again on Saturday afternoon.

With every best wish I remain,

Cordially yours,


Rt. Rev. Msgr. George G. Higgins

fr
The Honorable
Robert F. Kennedy
Attorney General of the United States
Department of Justice
Washington 25, D.C.



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May 23, 1962

Honorable Robert F. Kennedy
Attorney General of the United States
Department of Justice
Washington, D. C.

Dear Sir:

As President of the Alabama Christian Movement For Human Rights of Birmingham, Alabama, I request the aid and assistance in two cases now pending in the United States District Court for the Northern District of Alabama (Southern Division). One case is filed against the Jury Board of Jefferson County, Alabama, and the other is against the Board of Registrars of Jefferson County, Alabama. Attorney Orzell Billingsley, Jr., has sent Mr. Burke Marshall a copy of the complaints involved in both cases. The case against the Jury Board was heard on May 16 and 17, on an application for a preliminary injunction.

The testimony showed that only one Negro had served on a Grand Jury (1957) in modern times, and none had served on a petit jury in the area known as the "Bessemer Cut Off" in Jefferson County, Alabama. In the Birmingham Area, it was shown that one or two, or maybe three Negroes had on some occasions served on the Grand Jury and only a few had ever served on a petit jury in said area.

Reel 2

May 23, 1962

It was established during the trial of this cause that a jury venire generally consisted of from 100 to 150 names, and usually there were from five to seven Negroes listed thereon. One witness testified that he had seen as many as 15 or 20 on one occasion. The persons listed on the venires would gather in the jury room and were broken up into panels of 24 to 36. Such panel would be sent to a courtroom for the purpose of organizing a petit jury (12 men). This panel was drawn from a box by the Judge and the bailiff could tell by the number on the card, even though it did not carry any racial identification, whether or not the number referred to a Negro or white juror. The bailiff would announce this, and the Court would inquire of the attorneys as to their desire for the Negroes being brought down with the panel of 24 to 36. For this reason, sometimes the Negro jurors would remain in the jury room for a week or until the jurors were excused. This happened in spite of the fact that the dockets are always loaded, and seven Courtrooms are engaged constantly in jury trials.

I am informed that the members of the Jury Board knew very little about their activities. The woman member did not do anything except attend meetings and draw her salary. Another member submitted the names of his friends or persons who would contact him. It appeared as if sole control was, and is, in the clerk of the Jury Board. He testified that he was not acquainted with any Negroes of the community, but did attempt to canvass a few Negro communities, but due to hostility on the part of some Negroes, he was unable to get names for jurors. He sent out nearly 80 letters to leading Negro citizens for names, but seldom received an answer. Most of the Negro lawyers received these letters. He did not send any letters to white persons. I never received any such request, nor have I ever been called for Jury duty. The jury roll is compiled every two years and the Clerk of the Jury Board would hire at least five white women, but only canvassed white neighborhoods. Their salaries are approximately \$250.00 per month. They are selected through the Personnel Board of Jefferson County, Alabama. The Jury Roll consisted of 8,892 names in the Bessemer Cut Off and 43,836 names in the Birmingham Area. The Jury Clerk did not use the registration lists to compile the jury roll. These lists would have been one of his best means of doing so.

The Jury Board of Jefferson County, Alabama, is governed by special statutes. See Code of Alabama, Recompiled Title 62, Sections 196-228 and Title 30. See also Title 30 of said Code. I am informed that the case against the Board of Registrars is set for a hearing on the pleadings on May 23, 1962 in the above named District Court.

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Honorable Robert F. Kennedy

-3-

May 23, 1962

The jury system in Alabama is a very serious matter, and it is impossible for Negroes to receive fair trials in any case so long as such a system prevails. The jury system in the Federal District Courts of Alabama is as terrible. Attorney Billingsley can supply you with all of the necessary facts and witnesses, including white persons. I can assure you that the information which can be obtained by you will be shocking. I am informed that 184 U.S.C. Sec. 243, provides for criminal penalties in such situations.

We are without sufficient facilities to do a constructive job in these matters, and we must seek your assistance.

Thanking you for your kind cooperation and immediate attention in this matter, I am

Sincerely yours,

F. L. Shuttlesworth
President

FLS/jjw

cc: Honorable Burke Marshall
Assistant Attorney General
Department of Justice
Washington, D. C.

Reel 2

THE CITY OF VICKSBURG

"RED CROSS CITY OF THE SOUTH"

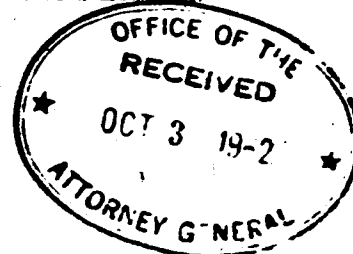
VICKSBURG, MISSISSIPPI

C. B. GUNN, Commissioner

JOHN D. HOLLAND, Mayor

October 2, 1962

G. I. BORI, Commissioner



Honorable Robert F. Kennedy
The Attorney General of the United States
Department of Justice
Washington, D. C.

Dear Mr. Attorney General:

I was one of the millions of listeners who heard your remarks on NBC Television last night, October 1, 1962, when you were interviewed by Mr. Brinkley.

I understood you to say that all the Federal Courts held James Meredith should be admitted to the University of Mississippi. This is a misleading statement. You are surely aware that the United States District Court found Meredith was properly refused admission to the University, and the refusal was not because of race. You must also be aware that the United States Circuit Court of Appeals ignored the fundamental rule of law that the findings of fact of the trier of facts, judge or jury, must stand if supported by evidence, in reversing the trial court. You must also know that the Supreme Court of the United States chose to reverse the interpretation of the 14th Amendment if held for more than 50 years, in declaring certain social practices acceptable to the overwhelming majority of the people of Mississippi and many other states, to be contrary to that Court's new ideas of the meaning of that amendment. You also know that, contrary to the clear words of Section 5 of the 14th Amendment, that Court, and the inferior Federal Courts following its example, has used the power vested by the several states in the Congress of the United States. You must also admit that the people and the states are afforded no redress except appeal to that same court. In fairness, you must admit that there is little consistent with our traditional concepts of a fair and impartial trial and government by the people in these events. That it had been done before does not make it right; that the Federal Government has the might to compel our compliance does not make it right; that a political party can profit by its accomplishment does not make it right. In truth, this

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Honorable Robert F. Kennedy
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October 2, 1962

is not government of the people and by the people - this is government by executive and judicial decree.

Stripped of its social implications and emotionalism, the ultimate issue is: whether we are free men who govern ourselves - whether under the Constitution, only the Congress of the United States is empowered to make laws, or whether the Federal Executive, acting in concert with the Federal Courts can circumvent the Congress.

There are those who applaud your objective of a new social order. If they are blind to the destruction of principle to accomplish this, they are not worthy of the heritage of freedom sacrificed to accomplish it.

Unless you abide by the Constitution of the United States and the laws enacted by the Congress pursuant thereto, and join with us as free men in requiring the other branches of the Federal Government to restrain themselves within the limits of the powers granted them by consent of the states and the people thereof, the world will see, in calmer days to come, that at Oxford, Mississippi, Americans let freedom die.

Since you are an honorable man, entrusted with high office, I am sure you will use that office to correct the erroneous impression in your previous interview, and fully inform the people of the United States on this issue of such grave and lasting effect not just on Mississippi, but on all these United States.

Yours very truly,


JOHN D. HOLLAND, MAYOR

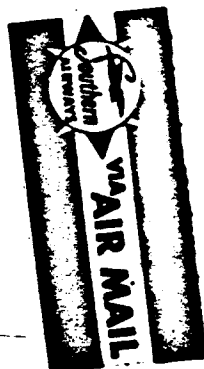
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THE CITY OF VICKSBURG

"RED CARPET CITY OF THE SOUTH"
VICKSBURG, MISSISSIPPI

Honorable Robert F. Kennedy
The Attorney General of the United States
Department of Justice
Washington, D. C.



Reel 2

Moss Point Methodist Church

Moss Point, Mississippi
September 27, 1962

Oct 1

Attorney General Robert F. Kennedy /
Office of the United States Attorney General
Washington, D. C.

Dear Mr. Kennedy:

Perhaps it would be appropriate for me to identify myself first. I am a white minister (I am sorry circumstances make it necessary for me to identify myself in this manner) in the Methodist Church, presently serving the Methodist Church in Moss Point, Mississippi. I am a native Mississippian, having been born in Meridian, Mississippi. I am a graduate of the University of Mississippi. (I was also graduated from Emory University, Atlanta, Georgia; Columbia University, New York; and Union Theological Seminary, New York).

It is hardly necessary for me to tell you of the very serious situation that has developed in Mississippi; you have been watching it with concern. However, you watch from a considerable distance, and it might very well be that inasmuch as I am here and involved with these people I can give you at least a small bit of insight.

The critical nature of this situation has developed as the direct result of reactionary and irresponsible political leadership, a reactionary press (The influence of the two Jackson papers - The Clarion Ledger and The Jackson Daily News - with state-wide circulation) has been particularly destructive, the White Citizens Council (which, as you know is a kind of Ku Klux Klan in "grey flannel suits", reactionary and limited people in places of authority (Mayors, Sheriffs, Police officers, etc.), and finally, the presence of a mass of white people who have been conditioned in a very conservative environment.

Almost every statement that has been made by the politicians and the press has been calculated to inflame and arouse the people. The atmosphere that has been created is not conducive to calm thinking and reason. An hysterical temper grips the state.

Reel 2

2 Hos Point Methodist Church

Hos Point, Mississippi

The pathetic legislature is ready and willing to pass the most senseless and unconstitutional laws in an effort to assist Governor Ross Barnett in his arrogant and irrational defiance of the federal government.

If one limits his efforts to appraise this situation to the Mississippi press he will get the impression that Governor Barnett has the solid support of all Mississippians. This is not true. Probably most white Mississippians would like to preserve segregation which they have come to associate with a "way of life" they cherish because it helps them feel superior and secure. But a lot of these Mississippians are watching the traditional pattern of legalized segregation wilt and wither away all around them (throughout the South) and they are becoming increasingly convinced that it will happen here, too. This is contrary to the Mississippi politician's insistence that it will never happen here.

For example. There is a so-called "unwritten law" that forbids athletic teams of the state colleges and universities from participating in athletic contests against any team that is integrated. This means that no Mississippi team, regardless of how good in quality and record, can take part in an inter-sectional game, national tournament, or post-season bowl contest that involves playing against an integrated team. So far in my many conversations with Mississippians throughout the state over a period of five or six years I have not been able to find a single person who goes along with this policy. Every person I have talked with has agreed that Mississippi teams should be allowed to play against any and all teams. The only people I have found who support this "unwritten law" are some of the state politicians and they have not been able to give me reasons for supporting it.

Perhaps even more to the point (and more relevant to the current situation) is the fact that I can go into any barber shop in this area - and you know the kind of people who loiter around small-town barber shops - and I can hear a conversation that is filled with violent, hard-bitten, bitter language giving the attitude and action of Governor Barnett unqualified support and I can pick up the conversation and in ten minutes have everyone in the barber shop saying audibly that the Governor should not close the University of Mississippi in an effort to keep it segregated and that he should not do anything that will adversely affect the standing

Reel 2

R. STEWART SMITH
MISSISSIPPI

Miss Point Methodist Church
Miss Point, Mississippi

or accreditation of the University of Mississippi.

I mention this simply to say that Barnett does not have the solid support of the state in what he is doing.

I will close this letter by saying I think you should do everything in your power to make the Governor of Mississippi comply with the federal court order. James Meredith should be enrolled as a student at the University of Mississippi.

Assuring you of my continued interest, I am

Sincerely,

R. Stewart Smith
R. Stewart Smith

December 13, 1962

Honorable Robert F. Kennedy
Attorney General
Department of Justice
Constitution Avenue
Washington, D. C.

Dear Mr. Kennedy:

With the convening of the 88th Congress just a few weeks away, I want to take this opportunity to express my sincere thanks for the cooperation and assistance rendered by you and your staff. While we did not always agree on all of the answers or final determinations, nonetheless, your understanding and help were appreciated. I look forward to continued harmonious relations in the next two years in our efforts to be of service to the people.

At this time I would also like to particularly cite the fine work of Mr. Burke Marshall and Mr. Walter D. Sahli, District Director of the Detroit Regional office of the Immigration and Naturalization Service. I am grateful for their efforts.

Thank you again. With warmest personal regards,

Sincerely,

James Harvey
James Harvey, M. C.

JH/ds

cc:—

✓ Mr. Burke Marshall
Mr. Walter D. Sahli

Ratz